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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/583,327	05/31/2000	Daniel Castro	M-8615 US	2858

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CAMERON KERRIGAN  
SQUIRE, SANDERS & DEMPSEY L.L.P.  
ONE MARITIME PLAZA  
SUITE 300  
SAN FRANCISCO, CA 94111-0323

EXAMINER	
BARRETT, THOMAS C	

ART UNIT	PAPER NUMBER
3738	

DATE MAILED: 04/26/2004

Please find below and/or attached an Office communication concerning this application or proceeding.



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APPLICATION NO./ CONTROL NO.	FILING DATE	FIRST NAMED INVENTOR / PATENT IN REEXAMINATION	ATTORNEY DOCKET NO.
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EXAMINER
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ART UNIT	PAPER
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042104

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Commissioner for Patents

See attached

## **DETAILED ACTION**

### ***Election/Restrictions***

Newly submitted claims 64-100 are directed to an invention that is independent or distinct from the invention originally claimed for the following reasons: the present claims are directed towards a method of coating a stent, (Class 424) while the originally elected invention was directed to a stent (Class 623). Since the applicant has received an action on the merits for the originally presented invention, this invention has been constructively elected by original presentation for prosecution on the merits. Accordingly, claims 64-100 are withdrawn from consideration as being directed to a non-elected invention. See 37 CFR 1.142(b) and MPEP § 821.03.

Because claims 64-100 are withdrawn, there are no claims to examine and the amendment is considered non-responsive.

### ***Conclusion***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Thomas C. Barrett whose telephone number is (703) 308-8295. The examiner can normally be reached Tuesday-Friday between 9:00 A.M. and 6:00 P.M.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Corrine McDermott can be reached on (703) 308-2111. The fax phone numbers for the organization where this application or proceeding is assigned are (703) 872-9306 for regular communications.

Art Unit: 3738

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 308-0858.

A handwritten signature in black ink, appearing to read "Thomas Barrett", with a stylized flourish at the end.

Thomas Barrett